

LICENSING EXEMPTIONS

Certain activities have been exempted from licensing by regulation.
[2.1(a)(3), Policy #23, and Policy #28]

The following activities are **exempt** from licensing requirements:

- *Acquisition or buying of an animal not for resale* does **not** require a license

- *Retail Pet Stores* do **not** require a license if they:
[2.1(a)(3)(i)]

- ▶ sell only non-dangerous pet type animals, such as:
dogs/cats rabbits mice
guinea pigs hamsters rats
chinchillas domestic ferrets birds
gophers cold-blooded species
domestic farm animals
- ▶ sell above animals only for pets
- ▶ sell above animals retail only

- *\$500 Gross Income Exception* [2.1(a)(3)(ii)]
Persons **selling or negotiating the sale or purchase of** covered animals for \$500 or less per calendar year (January 1-December 31) do **not** require a license if sales are to:

- ▶ research facilities
- ▶ exhibitors
- ▶ dealers
- ▶ pet stores

NOTE: The \$500 exemption is not valid for sales of:

- ▶ domestic dogs
- ▶ domestic cats
- ▶ wild animals
- ▶ exotic animals

- *Pet Animal Retail Sales* [2.1(a)(3)(vii)]
A license is **not** required for any person who breeds and raises domestic pet animals for direct retail sales to a

buyer who does not intend to resell the animal.

Pet animals are those commonly kept in family households in the United States, such as, but not limited to:

- ▶ dogs
- ▶ cats
- ▶ rabbits
- ▶ guinea pigs
- ▶ hamsters
- ▶ ferrets
- ▶ chincillas

EXAMPLES of exempt businesses include, but are not limited to:

- ▶ purebred dog/cat fanciers
- ▶ show dog kennels or breeders
- ▶ show handlers
- ▶ purebred rabbit fanciers

NOTE: The sale of any wild or exotic mammal for a pet requires a license.

- *Transport Rule* [2.1(a)(3)(v)]

A license is **not** required for any person who transports or arranges the transport of regulated animals **solely** for:

- ▶ breeding
- ▶ exhibiting in purebred shows
- ▶ boarding
- ▶ grooming
- ▶ medical treatment

NOTE: Any person who transports in commerce for compensation animals not bred and raised on his/her premises must be licensed as a “B” dealer or registered as an intermediate handler.

- *Three Bitch/Queen Rule* [2.1(a)(3)(iii)]

IF	AND	AND	THEN
maintain \leq 3 breeding female dogs or cats or combination	sell only offspring born and raised on premises	sell for pets or exhibition	exempt from licensing

- *Twenty-five Dog or Cat Rule* [2.1(a)(3)(iv)]

IF	AND	AND	THEN
sell < 25 dogs or cats or combination per calendar year	sell only dogs/cats born and raised on premises	sell for testing, research, or teaching purposes, or to a research facility	exempt from licensing
sell \geq 25 dogs or cats or combination per calendar year	sell dogs/cats born and raised on premises	sell for testing, research, or teaching purposes, or to a research facility	requires a license
sell any dog or cat	not born and raised on premises	sell for testing, research, or teaching purposes, or to a research facility	requires a license

\leq = less than or equal to
 < = less than
 \geq = equal to or greater than

- *Private Collector* [2.1(a)(3)(viii)]
A license is **not** required for any person who buys animals **solely** for his/her own use and enjoyment **and who does not:**
 - ▶ sell regulated animals, or
 - ▶ exhibit regulated animals

- *Agricultural Animal Activities* [2.1(a)(3)(vi)]
A license is **not** required for any person who engages in the following agricultural activities:
 - ▶ sells animals only for purposes of food, fiber or fur
 - ▶ transports animals only for purposes of food, fiber or fur
 - ▶ negotiates the sale of animals only for purposes of food, fiber or fur
 - ▶ negotiates the purchase of animals only for purposes of food, fiber, or fur
 - ▶ negotiates the transport of animals only for purposes of food, fiber, or fur
 - ▶ sells blood, serum, or body parts collected incidental to the slaughter of animals for food, fiber or fur

- *Hoofstock* [Policy #23]
A license is **not** required for any person who sells *wild/exotic hoofstock*, such as deer, elk and bison:
 - ▶ for nonregulated purposes
 - ▶ to game ranches
 - ▶ to private collectors for breeding purposes only
 - ▶ 10 or fewer wild/exotic hoofstock in a 12-month period for regulated purposes
A license is **not** required for any person who sells *farm animals*, such as cattle, sheep and goats:
 - ▶ for nonregulated purposes, or
 - ▶ 10 or fewer animals in a 12-month period for regulated purposes **and**

- ▶ animals sold for regulated purposes are **not** a majority of all the farm animals sold in that 12-month period

- *Hybrid Cross*

A hybrid cross is an animal resulting from the crossbreeding of two different species or types of animal.

The resulting type of animal (domestic, wild, or exotic) and the activity involving the animal determine whether it is exempt from licensing.

Examples of crosses and the resulting type of animal include:

- ▶ crosses between domestic animals are considered domestic, e.g., a poodle-cocker spaniel cross
- ▶ crosses between wild animals are considered wild, e.g., a wolf-coyote cross
- ▶ crosses between exotic animals are considered exotic, e.g., a lion-tiger cross
- ▶ crosses between wild and domestic animals are considered domestic, e.g., a wolf-dog cross
- ▶ crosses between exotic and domestic animals are considered domestic, e.g., a zebra-donkey cross

- *Dead Animals* [Policy #28]

A license is **not** required for any person who sells dead animals if:

- ▶ the animals (other than dogs or cats) were already dead when acquired
- ▶ the dead dogs or cats were:
 - R already dead when acquired, **and**
 - R acquired from:
 - N a USDA licensed dealer
 - N a State, county or municipal pound/shelter

- *Miscellaneous Activities*
Any person who engages in the following activities does **not** require a license:
 - ▶ breeding or retail selling of dogs for:
 - R hunting
 - R security
 - R guarding
 - ▶ breeding, or wholesale or retail selling of dogs for:
 - R racing
 - R sledding
 - ▶ breeding or selling of animals for services, such as
 - R seeing-eye dogs
 - R hearing dogs
 - R helping hands primates
 - ▶ sales of animals through auctions where intended use is unknown
 - ▶ selling horses or horse parts
 - ▶ collection or sale of wild/exotic animal parts, such as antlers, velvet, and hooves, for trophies, human consumption, or hunting purposes
 - ▶ collection or sale of wild or exotic animal urine for hunting purposes
 - ▶ “going out of business” sales
NOTE: “Going out of business” sales require prior approval from the appropriate Regional Office.